

**LYNN M. TODARO
STARK COUNTY CLERK OF COURTS**

RENEE WEISS

PLAINTIFF,

VS.

CASE NUMBER : **2021CV01759**

LOWES COMPANIES INC ,ET AL

ASSIGNED JUDGE : **CHRYSSA N. HARTNETT**

DEFENDANT,

SUMMONS

December 28, 2021

TO THE FOLLOWING NAMED DEFENDANT:

LOWES COMPANIES INC
CORPORATION SERVICE COMPANY SA
50 WEST BROAD ST SUITE 1330
COLUMBUS, OH 43215

YOU HAVE BEEN NAMED A DEFENDANT IN A COMPLAINT FILED IN STARK COUNTY COURT OF COMMON PLEAS, STARK COUNTY COURT HOUSE, CANTON, OHIO 44702 BY:

RENEE WEISS -
5541 COLUMBUS RD
LOUISVILLE, OH 44641

PLAINTIFF.

A COPY OF THE COMPLAINT IS ATTACHED HERETO. THE NAME AND ADDRESS OF THE PLAINTIFF'S ATTORNEY IS:

STANLEY RUBIN
437 MARKET AVENUE NORTH
CANTON, OH 44702

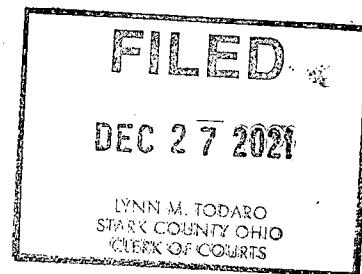
YOU ARE HEREBY SUMMONED AND REQUIRED TO SERVE UPON THE PLAINTIFF'S ATTORNEY, OR UPON THE PLAINTIFF, IF HE HAS NO ATTORNEY OF RECORD, A COPY OF AN ANSWER TO THE COMPLAINT WITHIN TWENTY-EIGHT DAYS AFTER THE SERVICE OF THIS SUMMONS ON YOU, EXCLUSIVE OF THE DAY OF SERVICE. YOUR ANSWER MUST BE FILED WITH THE COURT WITHIN THREE DAYS AFTER THE SERVICE OF A COPY OF THE ANSWER ON THE PLAINTIFF'S ATTORNEY.

IF YOU FAIL TO APPEAR AND DEFEND, JUDGMENT BY DEFAULT WILL BE RENDERED AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

LYNN M. TODARO
CLERK OF COURTS
STARK COUNTY, OHIO

M. Gross
M. GROSS, DEPUTY CLERK

Ex. A



IN THE COURT OF COMMON PLEAS
STARK COUNTY, OHIO

RENEE WEISS
5541 Columbus Road
Louisville, OH 44641

CASE NO: 2021CV01759

Plaintiff,

JUDGE: Hartnett

Vs.

COMPLAINT

LOWES COMPANIES, INC.
P.O. Box 14072
Lexington, KY 40512

(Personal Injury)

and

LOWES COMPANIES, INC.
By its Statutory Agent
Corporation Service Company
50 West Broad Street, Suite 1330
Columbus, OH 43215

Defendants.

FIRST CAUSE OF ACTION

1. Plaintiff states that at all times herein mentioned, Defendant Lowes Companies, Inc. (hereinafter Lowes) was a corporation licensed to do business in the State of Ohio.
2. At all times herein mentioned, Defendant Lowes owned, maintained, and operated a store known as Lowes Store #0297 located at 2595 West State Street, Alliance, Stark County, Ohio.

3. On or about December 30, 2019, Plaintiff Renee Weiss, while a business invitee of Defendant's business and while exercising due care and caution for her own safety, when through the negligence of Defendants, a metal pipe fell onto Plaintiff from a shelf located above Plaintiff. As a direct and proximate result of Defendant's negligence, Plaintiff was struck by said pipe and sustained serious personal injuries.

4. Defendants knew or should have known that Plaintiff was likely to be injured by the improperly placed pipes on the shelving in the store by Defendants.

5. It is the duty of Defendant to use ordinary care and diligence to maintain the interior of its store in a condition reasonably safe for its intended uses and free from all defects and conditions which would render it dangerous and unsafe for Plaintiff or present an unreasonable risk of harm to her, in the lawful use of same. It was the duty of Defendant to exercise reasonable care to protect Plaintiff by inspection and other affirmative acts from the danger of reasonably foreseeable injury incurring from the Plaintiff's reasonable foreseeable use of the shopping area.

6. Plaintiff's injuries were proximately caused by the negligence of Defendant who failed to safely place metal pipes and failed to warn Plaintiff of a known danger to Defendant and furthermore failed to exercise care to remove and/or correct a dangerous condition from the interior of its store in the customer shopping area.

7. As a direct and proximate result of the Defendant's aforesaid negligence, Plaintiff sustained serious personal injuries that are permanent in nature, suffered great pain and discomfort, and caused Plaintiff to incur medical and hospital expenses totaling approximately Eighty-two thousand seven hundred fifty and 57/100 dollars (\$82,750.57) and reasonably

expects to incur additional such medical and hospital expenses in the future in that her injuries are permanent in nature.

SECOND CAUSE OF ACTION

8. Plaintiff repeats and realleges all of the foregoing allegations herein above set forth with like effect as if fully rewritten herein.

9. Plaintiff states that Defendant was negligent in among other things, failing to maintain the premises in a condition reasonably safe for its intended uses and free from all defects and conditions which would render it dangerous and unsafe for Plaintiff or present an unreasonable risk of harm to her, in the lawful use of same.

10. As a direct and proximate result of said negligence, Plaintiff has suffered physical injuries, anxiety, fear, and physical and mental pain and suffering.

11. As a direct and proximate result of said negligence, Plaintiff has lost, continues to lose, and will continue to lose enjoyment of life and the ability to perform everyday activities.

12. As a direct and proximate result of said negligence, Plaintiff has incurred expenses in the treatment of the injuries that Plaintiff received in this incident.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount in excess of \$25,000.00, on each of the above Causes of Action, together with costs, pre-judgment and post-judgment interest, and attorney's fees herein incurred.

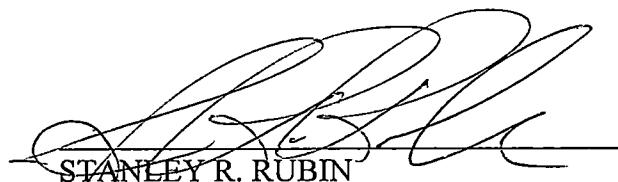


STANLEY R. RUBIN (0011671)
437 Market Avenue North
Canton, Ohio 44702
Telephone: (330) 455-5206
Facsimile: (330) 455-5200
Email: srrubin22@aol.com

Attorney for Plaintiff

INSTRUCTIONS TO THE CLERK

Please issue service upon the Defendants at the addresses listed in the caption of this Complaint, by **CERTIFIED MAIL, RETURN RECEIPT REQUESTED**, making the same returnable according to law.

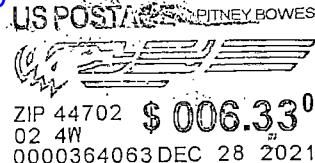


STANLEY R. RUBIN
Attorney for Plaintiff

Stark County Clerk of Courts
LEGAL DIVISION
P.O. Box 21160
Canton, Ohio 44701-1160



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LOWES COMPANIES INC
CORPORATION SERVICE COMPANY SA
50 WEST BROAD ST SUITE 1330
COLUMBUS, OH 43215



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